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19 Attorneys for Plaintiffs

20 **UNITED STATES DISTRICT COURT**

21 **DISTRICT OF NEVADA**

22 SHIGE TAKIGUCHI, et. al,
23 Individually and On Behalf of All
24 Others Similarity Situated,

25 Plaintiffs,

26 v.

27 MRI INTERNATIONAL, INC.,
28 EDWIN J. FUJINAGA, JUNZO
SUZUKI, PAUL MUSASHI
SUZUKI, LVT, INC., dba STERLING
ESCROW, and DOES 1-500,

Defendants.

Case No.: 2:13-cv-01183-HDM-NJK

**STIPULATION AND
ORDER RE PAYMENT OF
ATTORNEYS FEES AND COSTS
INCURRED BY SUZUKI
ENTERPRISES, INC. PROFIT
SHARING PLAN DURING
APRIL 2018**

STIPULATION AND ORDER RE PAYMENT OF ATTORNEYS FEES INCURRED BY SUZUKI
ENTERPRISES, INC., PROFIT SHARING PLAN DURING APRIL 2018

1 WHEREAS Defendant Suzuki Enterprises, Inc. Profit Sharing Plan (the
2 “Plan”) and Plaintiffs are collectively referred to herein as the “Parties”;

3 WHEREAS on December 2, 2016, the Court issued its order [550] (“Order
4 re Fees”) approving the Stipulation re Payment of Attorneys’ Fees [549]
5 (“Stipulation re Fees”), providing a procedure for payment of legal fees and costs
6 from Plan funds that are presently subject to the preliminary injunction [183]
7 issued by this Court;

8 WHEREAS the Plan incurred legal fees and costs in April 2018 in the
9 amount of \$1,422.50, in connection with: terminating the Plan, and
10 communications with multiple counsel, Plan fiduciaries and the Court regarding
11 settlement issues;

12 WHEREAS such fees and costs are payable as follows:

13 • \$297.50 payable to Foundation Law Group LLP, lead counsel for the
14 Plan; and

15 • \$1,125.00 payable to Brucker & Morra, APC, ERISA counsel;

16 WHEREAS the invoices for the Plan’s legal fees with specific descriptions
17 of the work accomplished are attached hereto as Exhibit “A”;

18 WHEREAS the Parties have communicated a mutual desire to avoid the
19 necessity of a formal motion for attorneys’ fees through this Stipulation;

20 NOW, therefore, the Parties stipulate as follows:

- 21 1. \$297.50 of the funds held by LPL Financial for the benefit of the Plan
22 shall be unfrozen and released from the preliminary injunction [183] and
23 paid to Foundation Law Group LLP;
- 24 2. \$1,125.00 of the funds held by LPL Financial for the benefit of the Plan
25 shall be unfrozen and released from the preliminary injunction [183] and
26 paid to Brucker & Morra, APC;
- 27 3. The remaining funds held by LPL Financial for the benefit of the Plan
28 shall remain frozen and subject to the preliminary injunction [183]

1 pending a further application for payment of attorneys' fees and
2 expenses; and

3 4. Payment of attorneys' fees and expenses for the month of April 2018
4 shall be made from cash on hand that is held in the name of the Plan.

5 6 DATED: May 1, 2018

7 8 DATED: May 1, 2018

9 10 **MANNING & KASS ELLROD**
11 12 **RAMIREZ, TRESTER LLP**

13 14 By: /s/ James E. Gibbons
15 16 *Attorneys for Plaintiffs*

17 18 By: /s/ Robert A. Rabbat
19 20 *Attorneys for Suzuki Enterprises, Inc.,*
21 22 *Profit Sharing Plan*

23 24 DATED: May 1, 2018

25 26 DATED: May 1, 2018

27 28 **LAW OFFICES OF ROBERT W.**
29 30 **COHEN, A.P.C.**

31 32 **FOUNDATION LAW GROUP LLP**

33 34 By: /s/ Robert W. Cohen
35 36 *Attorneys for Plaintiffs*

37 38 By: /s/ Gregg D. Zucker
39 40 *Attorneys for Suzuki Enterprises,*
41 42 *Inc., Profit Sharing Plan*

43 44 **ORDER**

45 46 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

47 48 DATED this 1st day of May, 2018.

49 50 Howard D. McKibbin

51 52 United State District Court Judge